

REMARKS

I. Introduction

With the addition of new claim 18, claims 8 to 12, and 14 to 18 are now pending in the present application, since claims 1 to 7 and 13 were previously canceled. In view of the foregoing amendments and the following remarks, it is respectfully submitted that all of the presently pending claims are allowable and reconsideration is respectfully requested.

Applicant thanks the Examiner for considering the previously filed Information Disclosure Statement, PTO-1449 paper, and cited references.

II. Rejection of Claims 8 to 12, 14, and 15 under 35 U.S.C. §103(a)

Claims 8 to 12, 14, and 15 were rejected under 35 U.S.C. §103(a) as unpatentable over U.S. Patent No. 6,894,606 (“Forbes”) in view of Publication No. JP2000225877 (“Yoshinori”), U.S. Patent No. 5,835,028 (“Bender”), U.S. Patent No. 3,902,687 (“Hightower”), and further U.S. Patent No. 7,266,220 (“Sato”). The rejection should be withdrawn for at least the following reasons.

In order for a claim to be rejected for obviousness under 35 U.S.C. § 103(a), the prior art must teach or suggest each element of the claim. *See Northern Telecom, Inc. v. Datapoint Corp.*, 908 F.2d 931, 934 (Fed. Cir. 1990), *cert. denied*, 111 S. Ct. 296 (1990); *In re Bond*, 910 F.2d 831, 834 (Fed. Cir. 1990). To establish a *prima facie* case of obviousness, the Examiner must show, *inter alia*, that there is some suggestion or motivation, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to modify or combine the references, and that, when so modified or combined, the prior art teaches or suggests all of the claim limitations. M.P.E.P. §2143. In addition, as clearly indicated by the Supreme Court, it is “important to identify a reason that would have prompted a person of ordinary skill in the relevant field to combine the [prior art] elements” in the manner claimed. *See KSR Int’l Co. v. Teleflex, Inc.*, 127 S. Ct. 1727 (2007).

Claim 8 relates to a lane assist system for a motor vehicle, and, as herein amended without prejudice, recites that a surround sensor device includes a sensor for detecting a roadway edge and in the event that the vehicle at least one of (a) threatens to cross the roadway edge and (b) actually crosses the roadway edge, the lane assist system is configured to automatically intervene in a steering system of the vehicle. The amendment is supported by the substitute specification at least at page 4, lines 16 to 21. The combination of

Forbes, Yoshinori, Bender, Hightower, and Sato does not disclose or suggest these claim features. None of these references identically disclose a surround sensor device that includes a sensor for detecting a roadway edge. Furthermore, none of these references disclose or suggest a lane assist system that is configured to automatically intervene in a steering system of the vehicle in the event that the vehicle at least one of (a) threatens to cross the roadway edge and (b) actually crosses the roadway edge.

Accordingly, the cited references do not disclose or suggest all of the features of claim 8, so that the cited references do not render unpatentable claim 8 or any of its dependent claims 9 to 12 and 15.

Claim 14 has been amended herein to include subject matter analogous to that of claim 8, so that the cited references do not render unpatentable claim 14 for at least essentially the same reasons as claim 8.

Withdrawal of this obviousness rejection is therefore respectfully requested.

III. Rejection of Claims 16 to 17 under 35 U.S.C. §103(a)

Claims 16 to 17 were rejected under 35 U.S.C. §103(a) as unpatentable over one or more combinations of Forbes, Yoshinori, Bender, Hightower, and U.S. Patent No. 4,918,438 (“Yamasaki”). The rejection should be withdrawn for at least the following reasons.

Claim 16 relates to a lane assist system for a motor vehicle, and, as herein amended, recites “a second alerting device adapted to output a visual warning signal conditional upon a determination that the vibration has been ignored.” The Office Action admits that the combination of Forbes, Yoshinori, Bender, and Hightower does not disclose these features. Instead, it asserts that Yamasaki discloses these features. However, Yamasaki does not disclose or suggest “a second alerting device adapted to output a visual warning signal conditional upon a determination that the vibration has been ignored.” For example, Yamasaki does not refer to a visual warning signal at all. Thus, the combination of Forbes, Yoshinori, Bender, Hightower, and Yamasaki does not disclose or suggest these features of claim 16.

Accordingly, the cited references do not disclose or suggest all of the features of claim 16, so that the cited references do not render unpatentable claim 16.

Claim 17 has been amended herein to include subject matter analogous to that of claim 16, so that the cited references do not render unpatentable claim 17 for at least essentially the same reasons as claim 16.

IV. New Claim 18

Claim 18 has been added herein. No new matter has been added. Support for the features of claim 18 may be found in the application as originally filed, e.g., in the specification at page 4, lines 17 to 25. Claim 18 depends from claim 16 and is therefore allowable for at least the same reasons as claim 16.

Conclusion

In view of the foregoing, it is respectfully submitted that all of the pending claims are in condition for allowance. All issues raised by the Examiner having been addressed, an early and favorable action on the merits is respectfully requested.

Respectfully submitted,
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